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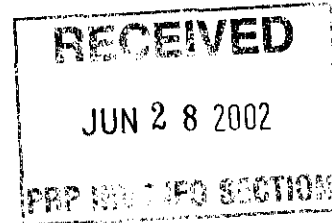
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OUR FILE: 17661

June 26, 2002

VIA OVERNIGHT MAIL

Ms. Carlyn Winter Prisk (3HS11)
US Environmental Protection Agency, Region III
1650 Arch Street
Philadelphia, Pennsylvania 19103-2029



**Re: Required Submission of Information - Geppert Bros., Inc.
Clearview Landfill, Folcroft Landfill, and Folcroft Landfill
Annex - Lower Darby Creek Area Superfund Site**

Dear Ms. Prisk:

This letter and the attachment are submitted in response to the letter of Henry J. Sokolowski dated April 15, 2002 in connection with the above-referenced site information request of the EPA. The attached response are related to the Clearview Landfill, Folcroft Landfill and Folcroft Landfill Annex for the referenced time frame and all questions have been answered on behalf of Geppert Bros., Inc. based upon available information and as the result of a good faith and diligent investigation and search of records on the part of Geppert Bros., Inc.

In providing a response to this Request for Information, Geppert Bros., Inc. has not and shall not be deemed to have admitted any liability or responsibility with respect to the Site, the subject matter of the Request for Information, or any other matter. On the contrary, Geppert Bros., Inc. has no information, whatsoever, that would indicate that Geppert Bros., Inc. ever sent or arranged for the transport of hazardous substances or hazardous wastes to the Clearview Landfill, Folcroft Landfill or Folcroft Landfill Annex. If EPA has any information which indicates that Geppert Bros., Inc. ever sent or arranged for the transport or disposal of hazardous materials or hazardous wastes to/at the Site, it is respectfully requested that all such information be provided to the undersigned so that Geppert Bros., Inc. may conduct a further investigation and supplement these responses should additional or different information be developed in the future. Also, we specifically request that you provide us with all documents and/or other tangible things which indicate or demonstrate that Geppert Bros., Inc. is a potentially responsible party as related to the Site.

Carlyn Winter Prisk

June 26, 2002

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Please contact the undersigned should you have any questions or should you need any additional information with regard to this matter. Otherwise, we thank you, again, for your prior courtesy in granting Geppert Bros., Inc. the extensions of time in which to respond to the Request for Information.

Very truly yours,

**Kelly, McLaughlin, Foster,
Bracaglia, Daly, Trabucco & White, LLP**



Andrew L. Salvatore

ALS/
Enclosure

**GEPPERT BROS., INC.'S RESPONSE TO
EPA'S REQUEST FOR INFORMATION**

Enclosure F

QUESTIONS

1. State the name of your company, its mailing address, and telephone number. Further identify:

**Geppert Bros., Inc.
3101 Trewigtown Road
Colmar, Pennsylvania 18915
(215) 822-7900
1960- present**

**Chestnut Hill Excavating & Construction Co.
1250 East Mermaid Lane
Wyndmoor, Pennsylvania 19118
1948-1960**

- a. The dates and states of incorporation of your company;

Geppert Bros., Inc. (hereinafter "Geppert") was incorporated on May 24, 1960 in the State of Pennsylvania.

Chestnut Hill Excavating & Construction Co. was a partnership and was never incorporated.

- b. The date and original state of incorporation of your company; and

See previous answer

- c. The parent corporation of your company, if any, and all subsidiaries or other affiliated entities.

Not applicable

2. What is the current nature of the business or activity conducted at your establishment(s) in the Philadelphia, Pennsylvania area? What was the nature of your business or activity between 1958 and 1976? Please describe in detail. If the nature of your business or activity changed from the period of 1958 to 1976 to the present, please provide a detailed explanation of the changes to date.

Geppert is currently and was during the period between 1958 and 1976 engaged in the business of demolition of buildings either by conventional methods through the

use of machines, select interior demolition by hand, or implosive demolition. Geppert also is and was engaged in the business of equipment rental and equipment hauling. The nature of Geppert's business did not change during the period from 1958 to 1976 and has not changed following that period to the present time.

Chestnut Hill Excavating & Construction Co. was engaged primarily in excavation and equipment rental and was engaged in some demolition activities.

3. Identify all persons currently or formerly employed by your establishment(s) who have or may have personal knowledge of your operations and waste disposal practices between 1958 and 1976 at your facilities in the Philadelphia, Pennsylvania area. For each such person, state that person's employer, job title, dates of employment, current address, and telephone number. If the current telephone number or address is not available, provide the last known telephone number or last known address of such person.

Richard Geppert
President/Treasurer of Geppert Bros., Inc.

[REDACTED]
[REDACTED]
June 20, 1958 to the present

William A. Geppert, Jr.
Chairman/Secretary

[REDACTED]
[REDACTED]
May 20, 1948 to the present

Adam Czerwotka
Dispatcher

[REDACTED]
[REDACTED]
June 6, 1966 to the present

4. Describe the types of documents generated or maintained by your establishment(s) in the Philadelphia, Pennsylvania area concerning the handling and/or generation, storage, treatment, transportation, recycling, formulation, or disposal of any hazardous substance, hazardous waste, pollutant, contaminant or other waste between 1958 and 1976.

Geppert did not handle, generate, store, treat, transport, recycle, formulate, or dispose of any hazardous substance, hazardous waste, pollutant, or contaminant during the relevant time period other than as noted below.

Other than the documentation provided to counsel for Geppert by the EPA in

connection with this request for information, Geppert is not in possession of any documents regarding waste disposal activities during the relevant time period (1958 to 1976). The Geppert facility was subjected to and experienced a flood in approximately 1992 which destroyed all records generated before 1984. The only documents concerning waste disposal activities which would have been in Geppert's possession at the time of the flood would have been, if other waste haulers hauled waste, invoices from these waste haulers, and if Geppert hauled waste, invoices from transfer stations or landfills.

- a. Provide a description of the information included in each type of document and identify the person who was/is the custodian of the documents;

As noted above, Geppert is not in possession of any documents regarding waste handling or disposal activities during the relevant time period and has no present knowledge as to the information included within any such documents. Geppert maintained the documents in storage until they were destroyed as a result of the flood referenced above. Geppert did not employ any particular custodian of documents.

- b. Describe any permits or permit applications and any-correspondence between your company and/or establishment(s), and any regulatory agencies regarding the transportation and disposal of such wastes; and

None. No permits or permit applications were needed to dispose of Geppert's waste.

- c. Describe any contracts or correspondence between your company and/or establishment(s) and any other company or entity regarding the transportation and disposal of such wastes.

Geppert did not enter into any contracts with any company to transport and/or dispose of wastes. If Geppert utilized the services of another company to dispose of waste, Geppert would contact such entity as needed on/for a particular project based on the price of the market.

5. Identify every hazardous substance used, generated, purchased, stored, or otherwise handled at your establishment(s) in the Philadelphia, Pennsylvania area between 1958 and 1976. Provide chemical analyses and Material Safety Data Sheets ("MSDS"). With respect to each such hazardous substance, further identify:

**Gasoline - liquid
Diesel fuel - liquid
Antifreeze - liquid
Acetylene gas (for welding) - gas
Oxygen gas (for welding) - gas
Welding rods - solid
Propane - gas**

Hydraulic oil - liquid
Motor oil - liquid
Windshield washer fluid - liquid
Cutting oil - liquid
Adhesives - liquid
Spray paint - liquid
Asphalt - solid
Pavement sealer - liquid
Concrete mix - solid

- a. The process(es) in which each hazardous substance was used, generated, purchased, stored, or otherwise handled;

All substances were handled in accordance with state and federal regulations.

Geppert utilized gasoline and other fuel in its equipment. The fuels were purchased from retail establishments and stored in tanks. Motor oil, hydraulic oil, antifreeze and windshield washer fluid were also purchased from retail establishments and used in the equipment.

Geppert also handled asphalt as a product of demolition activities.

The other materials listed above were tools or materials utilized or handled in the process of demolition activities. These materials were consumed during the process of demolition or repair of equipment and would have generated no waste.

All of these items would have been purchased from various suppliers or retail establishments. Oils may have been purchased in drums, and with the exception of the fuels, the materials were stored in their original packaging.

- b. The chemical composition, characteristics, and physical state (solid, liquid, or gas) of each such hazardous substance;

See above answer.

- c. The annual quantity of each such hazardous substance used, generated, purchased, stored, or otherwise handled;

There is no information or documents presently available to Geppert which would enable Geppert to respond to this Request.

- d. The beginning and ending dates of the period(s) during which such hazardous substance was used, generated, purchased, stored, or otherwise handled;

All of the materials listed above have been used by Geppert from the date of its inception to the present time.

- e. The types and sizes of containers in which these substances were transported and stored; and

Oils were stored in 55 gallon drums, above ground tanks or in the original packaging. Fuels were stored in the equipment or in above ground storage tanks. All other materials were stored in the original packaging.

- f. The persons or companies that supplied each such hazardous substance to your company.

There is no information or documents presently available to Geppert which would enable Geppert to respond to this Request.

6. Identify all by-products and wastes generated, stored, transported, treated, disposed of, released, or otherwise handled by your establishment(s) in the Philadelphia, Pennsylvania area between 1958 and 1976. With respect to each such by-product and waste identified, further provide:

In the demolition process, Geppert generated wastes consisting of brick, block, concrete, steel, wood, carpet, sheetrock, and asphalt. Further, oils were utilized in equipment and eventually removed from the equipment as waste.

- a. The process(es) in which each such by-product and waste was generated, stored, transported, treated, disposed of, released, or otherwise handled;

Waste handled by Geppert pursuant to demolition was separated and generally taken by Geppert to an appropriate disposal facility. On occasion, Geppert utilized the services of an outside contractor to remove demolition waste as needed. Geppert handled demolition waste as follows:

- **Brick, block, carpet, sheetrock and concrete were taken to be disposed in a clean fill landfill**
- **Steel was taken to a scrap yard**
- **Wood was taken to a wood disposal facility**
- **Asphalt was taken to a landfill regulated and authorized to accept this type of waste**
- **Waste oils were taken by a waste oil removal contractor licensed to haul such waste to a licensed disposal facility**

Waste oils removed from Geppert's equipment were stored in an above ground storage facility. Geppert used the oils for heating as needed by burning the oils in a

specially designed heater installed at Geppert's shop.

- b. The chemical composition, characteristics, and physical state (solid, liquid, or gas) of each such by-product or waste;

Construction debris - solid

Waste oils - liquid

- c. The annual quantities of each such by-product and waste generated, stored, transported, treated, disposed of, released, or otherwise handled;

There is no information or documents presently available to Geppert which would enable Geppert to respond to this Request.

- d. The types, sizes, and numbers of containers used to treat, store, or dispose of each such by-product or waste;

Documents provided to Geppert's counsel by the EPA suggest that Tri County Hauling may have utilized 30 yd. containers to transport solid waste from various locations. Further, Geppert utilized 50 yd. open trailers to haul waste as indicated above. However, there is no information or documents presently available to Geppert which would enable Geppert to determine the total quantity of waste disposed by Geppert or transported by Geppert or any waste hauler.

- e. The name of the individual(s) and/or company(ies) that disposed of or treated each such by-product or waste; and

See answer to 6.a. As to any outside companies utilized to dispose of waste, other than as indicated in the documents provided to Geppert's counsel by the EPA, there is no information or documents presently available to Geppert which would enable Geppert to respond to this Request.

- f. The location and method of treatment and/or disposal of each such by-product or waste.

See answer to 6.a. Geppert would transport construction debris to an appropriate disposal facility in trucks. As to any outside companies utilized to dispose of waste, other than as indicated in the documents provided to Geppert's counsel by the EPA, there is no information or documents presently available to Geppert which would enable Geppert to respond to this Request.

- 7. Did your company ever contract with, or make arrangements with Clearview, Folcroft, Folcroft Annex, Eastern Industrial, Tri-County Hauling, S. Buckly Trash Hauling, Barratt Rupurt, McCloskey Engineering, ABM Disposal Services, Marvin Jonas, Jonas Waste Removal, Paolino Company, Schiavo Bros., Inc. and/or any other company or municipality to remove or transport material from your establishment(s) in the

Philadelphia, Pennsylvania area between 1958 and 1976 for disposal? If so, for each transaction identified above, please identify:

Other than as indicated in the documents provided to Geppert's counsel by the EPA, there is no information or documents presently available to Geppert which would enable Geppert to respond to this Request.

- a. The person with whom you made such a contract or arrangement;

See above answer.

- b. The date(s) on which or time period during which such material was removed or transported for disposal;

See above answer.

- c. The nature of such material, including the chemical content, characteristics, and physical state (i.e., liquid, solid, or gas);

See above answer.

- d. The annual quantity (number of loads, gallons, drums) of such material;

See above answer.

- e. The manner in which such material was containerized for shipment or disposal;

See above answer.

- f. The location to which such material was transported for disposal;

See above answer.

- g. The person(s) who selected the location to which such material was transported for disposal;

See above answer.

- h. The individuals employed with any transporter identified (including truck drivers, dispatchers, managers, etc.) with whom your establishment dealt concerning removal or transportation of such material; and

See above answer.

- i. Any billing information and documents (invoices, trip tickets, manifests, etc.) in your possession regarding arrangements made to remove or transport such

material.

See above answer and answer to request number 4.

8. Provide the names, titles, areas of responsibility, addresses, and telephone numbers of all persons who, between 1958 and 1976, may have:
- a. Disposed of or treated materials at Clearview, Folcroft and Folcroft Annex or other areas of the Site;

Geppert has no recollection of dumping any waste at the specified landfills. See answer to 6.a. as to Geppert's handling of waste products. Geppert has no information regarding the waste handling practices of any other company.

- b. Arranged for the disposal or treatment of materials at Clearview, Folcroft and Folcroft Annex or other areas of the Site; and/or

See above answer.

- c. Arranged for the transportation of materials to Clearview, Folcroft and Folcroft Annex or other areas of the Site (either directly or through transshipment points) for disposal or treatment.

See above answer.

9. For every instance in which your establishment(s) disposed of or treated material at Clearview, Folcroft and Folcroft Annex or other areas of the Site, or arranged for the disposal or treatment of material at the Site, identify:
- a. The date(s) on which such material was disposed of or treated at the Site;

Geppert has no recollection of dumping any waste at the specified landfills. See answer to 6.a. as to Geppert's handling of waste products. Geppert has no information regarding the waste handling practices of any other company.

- b. The nature of such material, including the chemical content, characteristics, and physical state (i.e., liquid, solid, or gas);

See previous answer.

- c. The annual quantity (number of loads, gallons, drums) of such material;

See previous answer.

- d. The specific location on the Site where such material was disposed of or treated; and

See previous answer.

- e. Any billing information and documents (invoices, trip tickets, manifests, etc.) in your company's or establishment's(s') possession regarding arrangements made to dispose of or treat such material at the Site.

See previous answer.

- 10. Did your establishment(s), or any other company or individual ever spill or cause a release of any chemicals, hazardous substances, and/or hazardous waste, and/or non-hazardous solid waste on any portion of Clearview, Folcroft and Folcroft Annex or any other portion of the Site? If so, identify the following:

Geppert has no recollection of dumping any waste, whether hazardous or not, at the specified landfills. See answer to 6.a. as to Geppert's handling of waste products. Further, Geppert has no knowledge of any spill or release of chemicals, hazardous substances and/or hazardous waste at the specified landfills.

- a. The date(s) the spill(s)/release(s) occurred;

See previous answer.

- b. The composition (i.e., chemical analysis) of the materials which were spilled/released;

See previous answer.

- c. The response made by you or on your behalf with respect to the spill(s)/release(s); and

See previous answer.

- d. The packaging, transportation, and final disposition of the materials which were spilled/released.

See previous answer.

- 11. Please identify individuals employed by your establishment(s) who were responsible for arranging for the removal and disposal of wastes, and individuals who were responsible for payments, payment approvals, and record keeping concerning such waste removal transactions at your Philadelphia, Pennsylvania area establishment(s) between 1958 and 1976. Provide current or last known addresses and telephone numbers where they may be reached. If these individuals are the same persons identified by your answer to question 3, so indicate.

The individuals identified in the answer to request number 3 would have been responsible for making arrangements for handling, removal, and disposal of waste products and for payments and any records which would have been prepared with respect to waste handling/disposal activities. To Geppert's knowledge, the only records which may have existed during the relevant time period would be invoices reflecting disposal of waste at an appropriate facility and/or invoices from another company for removal of waste. As noted above, all records generated before 1984 were destroyed in the flood of approximately 1992. See answer to request number 4 above.

12. Did you or any person or entity on your behalf ever conduct any environmental assessments or investigations relating to contamination at Clearview, Folcroft and Folcroft Annex or any other areas of the Site? If so, please provide all documents pertaining to such assessments or investigations.

Neither Geppert, nor any entity on its behalf, ever conducted any environmental assessment or investigation relating to contamination at the specified landfills.

13. If you have any information about other parties who may have information which may assist the EPA in its investigation of the Site, including Clearview, Folcroft and Folcroft Annex, or who may be responsible for the generation of, transportation to, or release of contamination at the Site, please provide such information. The information you provide in response to this request should include the party's name, address, telephone number, type of business, and the reasons why you believe the party may have contributed to the contamination at the Site or may have information regarding the Site.

There is no information or documents presently available to Geppert which would enable Geppert to respond to this request.

14. Representative of your establishment(s):
- a. Identify the person(s) answering these questions on behalf of your establishment(s), including full name, mailing address, business telephone number, and relationship to the company.

**Mary Pat Geppert
Vice President of Geppert Bros., Inc.
3101 Trewigtown Road
Colmar, Pennsylvania 18915
(215) 822-7900**

Richard Geppert
President/Treasurer of Geppert Bros., Inc.
2 16th Street South
Brigantine, New Jersey 08203
(609) 264-0889
June 20, 1958 to the present

William A. Geppert, Jr.
Chairman/Secretary
626 Harts Ridge Road
Conshohocken, Pennsylvania 19428
(215) 247-4000
May 20, 1948 to the present

- b. Provide the name, title, current address, and telephone number of the individual representing your establishment(s) to whom future correspondence or telephone calls should be directed.

David F. White, Esquire
Andrew L. Salvatore, Esquire
Kelly, McLaughlin, Foster,
Bracaglia, Daly, Trabucco & White, LLP
620 West Germantown Pike, Suite 350
Plymouth Meeting, Pennsylvania 19462
(610) 941-7900

15. If any of the documents solicited in this information request are no longer available, please indicate the reason why they are no longer available. If the records were destroyed, provide us with the following:

Other than as indicated in the documents provided to Geppert's counsel by the EPA, see answer to request number 4 above.

- a. Your document retention policy;

Geppert stored records in the basement of Geppert's facility. Geppert would destroy the oldest records as records accumulated and storage space became unavailable. Geppert did not maintain records for a specified period of time before destruction but would not have destroyed records within approximately five years of their creation.

- b. A description of how the records were/are destroyed (burned, archived, trashed, etc.) and the approximate date of destruction;

See answer to request number 4 above.

- c. A description of the type of information that would have been contained in the documents; and

See answer to request number 4 above.

- d. The name, job title, and most current address known to you of the person(s) who would have produced these documents; the person(s) who would have been responsible for the retention of these documents; and the person(s) who would have been responsible for the destruction of these documents.

See answers to requests number 4 and 15a above. Richard Geppert and William Geppert, Jr., identified in the answer to request number 3 above, would have been responsible for the handling of the documents.

CERTIFICATION OF RESPONSE TO REQUEST FOR INFORMATION

State of Pennsylvania :

County of Montgomery :

I certify under penalty of law that I have personally examined and am familiar with the information submitted in this document (Response to EPA Request for Information) and all documents submitted herewith, and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the submitted information is true, accurate, and complete, and that all documents submitted herewith are complete and authentic unless otherwise indicated. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment. I am also aware that my company is under continuing obligation to supplement its response to EPA's Request for Information if any additional information relevant to the matters addressed in EPA's Request for Information or the company's Response thereto should become known or available to the company.

William A. Geppert Jr.

NAME (print or type)

Secretary

TITLE (print or type)

William A. Geppert Jr.

SIGNATURE

Sworn to before me this

25th day of June, 2002

Tara Lee Watling

NOTARY PUBLIC

Notarial Seal
Tara L. Watling, Notary Public
Hatfield Twp., Montgomery County
My Commission Expires Nov. 24, 2003